

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

August 04, 2010

MOTOR CARRIER MATTER

☐

DOCKET NO.

2009-311-C

UTILITIES MATTER

☒

ORDER NO.

SUBJECT:

DOCKET NO. 2009-311-C - Genesis Telecommunications, LLC, Complainant/Petitioner v. United Telephone of the Carolinas d/b/a CenturyLink (f/k/a Embarq), Defendant/Respondent – Discuss this Matter with the Commission.

COMMISSION ACTION:

In this complaint matter between Genesis, the Complainant, and CenturyLink, the Respondent, I move that we deny and dismiss the Genesis complaint because of the failure of Genesis to meet its burden of proof, and that we also deny the Genesis Motion for Summary Judgment and Motion in Limine. I further move that we find that Genesis and CenturyLink intended under their agreement that DS1 loops be provided in accordance with federal law and FCC regulations, as well as applicable industry standards, and that CenturyLink provided DS1 loops to Genesis in accordance with these laws, regulations and standards. Accordingly, I also move that we grant CenturyLink's counterclaim and order Genesis to pay CenturyLink under the original terms of its agreement the contract rates for DS1 loops.

PRESIDING: HowardSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>
HALL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Annual Leave

Attending Camp NARUC in Michigan

(SEAL)

RECORDED BY: J. Schmieding

